

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

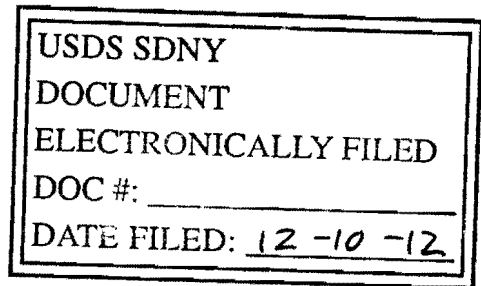
SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-v-

AMERINDO INVESTMENT ADVISORS
INC., *et al.*,

Defendants.



No. 05 Civ. 5231 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a letter from Defendants, dated December 10, 2012, broadly attacking the criminal and civil proceedings against them and advancing a variety of arguments not raised in any of their briefing papers. Defendants' letter comes on the eve of oral argument on Plaintiff's motion for partial summary judgment and Defendants' motion to dismiss the Second Amended Complaint in the above-captioned action. By Order of the Court, both motions were fully briefed as of October 12, 2012. Thus, Defendants' letter is an inappropriate surreply, which the Court will not consider. Oral argument will proceed as scheduled at 4:30 p.m. tomorrow, December 11, 2012.

SO ORDERED.

Dated: December 10, 2012
New York, New York

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE